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Attorney for Plaintiffs Rebecca Allison Gordon,
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UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

REBECCA ALLISON GORDON, JANET)	No. C-03-1779 CRB
AMELIA ADAMS, and AMERICAN CIVIL)	
LIBERTIES UNION FOUNDATION OF)	STIPULATION AND [PROPOSED]
NORTHERN CALIFORNIA,)	ORDER ENLARGING TIME TO
)	FILE MOTION FOR ATTORNEYS'
Plaintiffs,)	FEES (Local Rule 54-6)
v.)	
)	
FEDERAL BUREAU OF INVESTIGATION,)	
TRANSPORTATION SECURITY)	
ADMINISTRATION, and DEPARTMENT OF)	
JUSTICE)	
Defendants.)	

IT IS HEREBY STIPULATED by the parties that:

- On June 29, 2005, this Court entered in the above-captioned matter a judgment in favor of plaintiffs in part and in favor of defendants in part.
- Plaintiffs believe that they are entitled to attorneys' fees pursuant to 5 U.S.C. sec. 552(a)(5). Under Local Rule 54-6, plaintiffs must file their motion for attorneys' fees within 14 days of entry of judgment (which would be July 13, 2005 in this case), unless the Court enlarges the time to file

1 such a fees motion. Accordingly, the parties are filing this Stipulation seeking an extension of the time
2 for plaintiffs to file such a fees motion until on or before October 31, 2005, for the reasons discussed
3 below.

4 3. Thomas Burke, of Davis Wright Tremaine LLP, has been the lead counsel for plaintiffs
5 throughout this litigation. Mr. Burke has taken a three-month sabbatical leave from his firm, and will
6 be out of the country until his return to the firm and his practice on September 15, 2005. Because of
7 Mr. Burke's central role in this litigation, including having the primary role of drafting all the
8 significant briefs and pleadings and reviewing all the documents received from defendants, the parties
9 agree that his active participation in resolving the question of fees, whether through negotiation or
10 through litigation, would be in the interests of both parties and of the Court.

11 4. Local Rule 54-6 requires that the parties meet and confer for the purpose of resolving
12 all the disputed issues relating to attorneys' fees before filing the fees motion. Plaintiffs would prefer
13 to resolve this matter without the need for further litigation. To enable Mr. Burke to participate in
14 both the meet and confer discussions, as well as the preparation of the motion if the matter cannot be
15 settled, plaintiffs' counsel, Alan L. Schlosser, has requested that defendants' counsel, Joseph W.
16 LoBue, agree to an enlargement of time that would give plaintiffs forty-five days after Mr. Burke's
17 return to either resolve this matter by settlement or to file their motion if necessary. Counsel for
18 Defendants have agreed to stipulate to such an extension, which would enlarge the time to file a
19 motion for attorneys' fees to on or before October 31, 2005.

20 5. Accordingly, the parties seek an order of this Court enlarging the time for plaintiffs to
21 file a motion for attorneys' fees to on or before October 31, 2005.

1 Dated: July 8, 2005

DAVIS WRIGHT TREMAINE LLP

2 AMERICAN CIVIL LIBERTIES UNION
3 FOUNDATION OF NORTHERN CALIFORNIA

4
5 By: / s /
6 Alan L. Schlosser
7 Attorneys for Plaintiffs

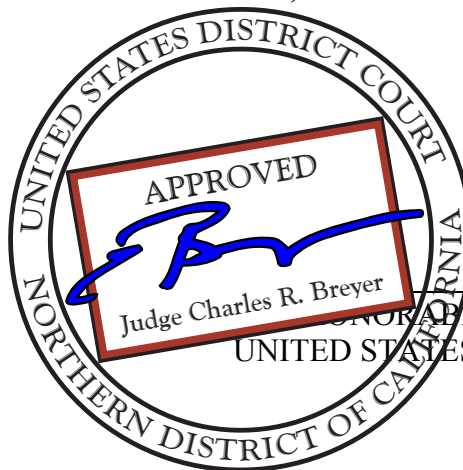
8 U.S. DEPARTMENT OF JUSTICE

9
10 By: / s /
11 Joseph W. LoBue
12 Attorneys for Defendants

13
14 ORDER

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16 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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19 Dated: July 8, 2005



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21 HONORABLE CHARLES R. BREYER
22 UNITED STATES DISTRICT JUDGE
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